

STAMFORD PLANNING BOARD
REGULAR MEETING
APPROVED MINUTES, TUESDAY, SEPTEMBER 2, 2014
4TH FLOOR CAFETERIA, GOVERNMENT CENTER
888 WASHINGTON BLVD., STAMFORD, CT

Stamford Planning Board Members present were: Theresa Dell, Chair, William Levin, Roger Quick, and Jay Tepper. Absent: Claire Fishman, Zbigniew Naumowicz and Michael Totilo. Present for staff was David W. Woods, Ph.D., AICP, Principal Planner.

Ms. Dell, Chair called the meeting to order at 6:35 p.m., and announced that Ms. Fishman, Mr. Naumowicz and Mr. Totilo were absent for tonight's meeting, which means that Mr. Levin would be voting on tonight's items.

Zoning Board of Appeals Referrals:

1. **ZBA Appl. 047-14 831-833 High Ridge Road [Reconsideration]**, the applicant has requested to be heard requesting the Planning Board's reconsideration for this application seeking a Special Exception under Section 19-3 of the Zoning Regulations in order to build a 7,700 square foot building to establish a radiology or dialysis clinic. After some discussion focusing on whether the Board should allow the applicant to reopen this application for reconsideration, Mr. Tepper moved to recommend denial of ZBA Application 047-14, denial is due solely to the new building would be out of character with the neighborhood. and that the proposed application is not in keeping with the character of the property and will negatively impact the neighborhood, and is not consistent with the 2002 Master Plan; Mr. Quick seconded the motion, and it passed with eligible members present voting, 4-0 (Dell, Quick, Tepper, and Totilo).
2. **ZBA Appl. 056-14 111 West North Street [Resubmitted]**, the applicant is requesting a Special Exception as per Section 19-3.2 (E) (3) (4) to allow the use of an existing religious building for church services of 200 parishioners and existing school facility for prayer service, bible study, and business meeting. In addition, the applicant is requesting a variance to Section 10A to allow 67.9% ground coverage in lieu of 45% maximum allowed. After further discussion, Mr. Tepper moved to recommend denial of ZBA Application 056-14, for the following reasons: (a) The Application is still incomplete, (b) The requested variances are not correctly identified, (c) The resulting loss of landscaping and intensification of use of this property is (not) consistent with Policy C 1-7, which states "Limit the expansion of pre-existing non-conforming uses allowed under the variance procedure," and (d) The Special Exception standards which are intended to insure that the special exception uses are compatible and not injurious to the surrounding residential neighborhood and is not consistent with the 2002 Master Plan; Mr. Levin seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).
3. **ZBA Appl. 050-14 1350 High Ridge Road**, the applicant is requesting the following variance of Table III, Appendix B for relief of the side yard setbacks of 14.5 feet in lieu of 15 feet required. Mr. Woods reported that the applicant needs a variance to legalize a preexisting condition of six inches. After some discussion, Mr. Tepper moved to recommend approval of ZBA Appl. 050-14, and it is compatible with the 2002 Master Plan; Mr. Quick seconded the motion, and passed

unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).

4. **ZBA Appl. 051-14 74 St. Charles Avenue**, the applicant is requesting the following variance of Table III, Appendix B for relief of the side yard setback of 4.1 feet in lieu of 6 feet required, and total side yard of 5.8 feet instead of 12 feet required. Mr. Woods reported that the applicant needs a variance to expand over an existing deck, structure built prior to current zoning. After some discussion, Mr. Tepper moved to recommend approval of **ZBA Appl. 051-14**, and it is compatible with the 2002 Master Plan; Mr. Quick seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).
5. **ZBA Appl. 052-14 654 Newfield Avenue**, the applicant is requesting the following variances of Table III, Appendix B for street line, street center and side yard setbacks. Mr. Woods reported that the applicant needs a variance to expand onto an existing structure – these variances were granted to previous owner, but have expired. After some discussion, Mr. Quick moved to recommend approval of **ZBA Appl. 052-14**, and it is compatible with the 2002 Master Plan; Mr. Levin seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).
6. **ZBA Appl. 053-14 25 Havemeyer Lane**, the applicant is requesting the following variance of Table III, Appendix B for relief of the side yard setback of 4.98 feet in lieu of 6 feet required, and asking for a side yard of 3.82 feet instead of 6 feet required from the Greenwich Town Line. Mr. Woods reported that the applicant needs a variance to expand onto an existing structure – at issue here is that the applicant is located on the Stamford/Greenwich line, and meets setback requirements in Stamford but not Greenwich. After some discussion, Mr. Levin moved to recommend approval of **ZBA Appl. 053-14**, and it is compatible with the 2002 Master Plan; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).
7. **ZBA Appl. 054-14 29 Nichols Avenue**, the applicant is requesting the following variances of Table III, Appendix B for maximum lot coverage, side yard setbacks, and building coverage. Mr. Woods reported the applicant needs a variance for side yard setback issues, and the Board identified two major problems: 1) this application appears not to be consistent with the neighborhood; and 2) the applicant had not identified the neighbors' lot coverage for comparison. After some discussion, Mr. Tepper moved to recommend Board table **ZBA Appl. 054-14**, allowing the applicant to address the issues raised by the Planning Board; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).
8. **ZBA Appl. 055-14 334 Weed Street**, the applicant is requesting the following variances of Table III, Appendix B for front and side yard setbacks. After some discussion, Mr. Levin moved to recommend approval of **ZBA Appl. 055-14**, and it is compatible with the 2002 Master Plan; Mr. Quick seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).

Zoning Board Referrals:

ZB Appl. 214-16 – THIRD STREET DEVELOPMENT, LLC, 16, 20, & 24 Third Street and 53 Fourth Street, Final Site Plan, Architectural Plans, and Special Exception, the

applicant is requesting approval to construct a four (4) story, 11,055 square foot building area consisting of 23 residential units with associated parking and site improvements for property located at 16, 20, & 24 Third Street and 53 Fourth Street in an RMF District with 1,949 square feet of open space. Special Exception request is for BMR bones density and BMR fee-in-lieu payment. Mr. John Pugliesi, P.E. made a presentation the Special Exception request, and the Final Site and Architectural Plans. From a planning perspective, this request is consistent with Master Plan Category #9. DOWNTOWN—Collar. After some discussion and questioning by the Board, Mr. Quick to recommend that the Zoning Board approve ZB Application #214-16; Mr. Tepper seconded the motion, and passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper).

Planning Board Meeting Minutes:

Meeting of 8/26/14: After a brief discussion, Mr. Tepper moved to recommend approval of Planning Board Minutes of August 26, 2014; Mr. Quick seconded the motion, and it passed unanimously with eligible members present voting, 4-0 (Dell, Levin, Quick, and Tepper,).

Old Business

None

New Business

Ms. Dell reported that she and Mr. Woods were meeting with the Mayor on the Capital Budget process next week.

Mr. Woods stated that he included readings from the August edition of Planning Magazine for the Board's use and possible discussion.

There being no further business to come before the Board, Ms. Dell adjourned the meeting at 8:15 p.m.

Respectfully Submitted,

Claire Fishman, Secretary
Stamford Planning Board

Note: These proceedings were recorded on tape and are available for review in the Land Use Bureau located on the 7th floor of Government Center, 888 Washington Boulevard, during regular business hours.